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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/830,461	04/27/2001	Sarah Bell	36-1430	8074

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EXAMINER

PATEL, ASHOKKUMAR B

ART UNIT PAPER NUMBER

2154

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/830,461

Applicant(s)

BELL ET AL.

Examiner

Ashok B. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-13 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/11/05
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-13 are subject to examination.

Response to Arguments

2. Applicant's arguments filed January 31, 2005 have been fully considered but they are not persuasive for the following reasons:

Applicant's argument:

These are not modular "sessions descriptions" as the "whiteboard" is a physically displayed object, not a means of communicating such as is used in two-way conferencing to exchange information.

Examiner's response:

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., modular "sessions descriptions and two-way conferencing to exchange information) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Furthermore, Avaro teaches in para. 2.2.2.1 and in Fig. 2, "The overall architecture for communicating AV objects and AV classes is as follows. Before the AV objects are transmitted, the encoder and decoder exchange configuration information. The encoder determines which classes or algorithms, tools, and other objects are needed by the decoder to process the AV objects- Each class of objects is defined by a data structure

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plus executable code. The definitions of any missing classes are downloaded to the decoder, where they supplement or override existing class definitions installed or pre-defined at the decoder. As the decoder executes, new class definitions may be needed. In such a case- the decoder can request that the encoder downloads specific additional class definitions. The additional class definitions may be downloaded in parallel with the transmitted data. The above aspects are illustrated in Fig. 2. Such a mechanism provides the decoder with the flexibility and extensibility desired in M PEG-4." As such, Avaro teaches "sessions descriptions " and "two-way conferencing to exchange information" in its very nature (flexible terminals).

Applicant's argument:

Figure 5 on page 394 makes it clear that in Avaro, each AV object provides a description of an object in a "scene" and not a description of a media stream requirement for a user to participate in a particular "session".

Examiner's response:

On page 392, Avaro teaches "Configuration: In this phase, the encoder and decoder agree on a profile (set of tools and algorithms) by exchanging Encoder configuration information (ECI) and Decoder configuration Information (DCI) messages describing their capabilities (implemented classes, computational capabilities, etc.)." As such, Avaro teaches "a description of a media stream requirement for a user to participate in a particular "session."

Applicant's argument:

In contrast, there is no need to resend the announcement using the claimed invention.

Examiner's response:

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., no need to resend the announcement) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Furthermore, on page 392, Avaro teaches "Configuration: In this phase, the encoder and decoder agree on a profile (set of tools and algorithms) by exchanging Encoder configuration information (ECI) and Decoder configuration Information (DCI) messages describing their capabilities (implemented classes. computational capabilities. etc.)." As such, Avaro teaches "a description of a media stream requirement for a user to participate in a particular "session." As such Avaro teaches "no need to resend the announcement."

In addition, Kumar's teachings are of paramount importance since claims 5 and 6 are drawn to these teachings, wherein Kumar teaches "Participation in the conference may be limited for security, registration, and/or monetary purposes (e.g., a college class). In such a case, the public announcement will typically contain information on how to register and obtain a private announcement with encryption key(s), algorithm(s), and any other private information (see, e.g., FIGS. 7 and 8). (col. 5, lines 28-44, Figs.7, 8 and 9)."

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Avaro et al. ("The MPEG-4 systems and description languages: A way ahead in audio visual information representation", Dated May 1, 1997)(hereinafter Avaro)

Referring to claim 1,

The reference teaches method of announcing a description of one or more of a plurality of media stream connections for a media session, comprising the steps of :

generating a first base module having a first data structure comprising user oriented data relevant to said plurality of media stream connections of the media session; (page 390, section 2.3.1, element MPEG4Object, Fig. 5)

generating at least one media module having a second data structure comprising media oriented data necessary for a user to receive a respective media stream of said plurality of media streams of the media session; (Page 390 and 391, section 2.3.2, element "AV objects which are called subsets", Fig. 5).

providing a link between the first base module and the at least one media module; and, (Fig.5, "composition informations")
announcing the media session by making to potential recipients of the media session, (Page 391, section 2.4, "communication structure".)

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wherein the link between the first base module and the at least one media module permits a user to access the at least one media module and subsequently receive the media stream. (Fig.5, "display and user interaction", page 406, section 4).

Referring to claim 2,

The reference teaches a method according to claim 1, further comprising the steps of:

generating a second base module, the second base module containing user orientated data relating to a sub-session of the media session;(Page 390 and page 391, section 2.3.2, element " AVObject)

linking the second base module to the first base module; and,

linking said at least one media module to the second base module.(page 391, element "composition").

Referring to claims 3 and 4,

The reference teaches a method according to claim 1, further comprising the steps of:

generating at least one options module having a third data structure comprising data relating to service level criteria required to participate in the media session; and,

linking each options module to a respective base module., and a method according to claim 3 in which the data contained in the options module relates to a quality of service policy to be used by the media session or a part thereof . (page 394, Fig.5, page 392, "configuration", page 422, section 6.1).

Referring to claim 13,

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Claim 13 is a claim to a computer readable storage medium containing data defining the elements of the method steps of claim 1. Therefore claim 13 is rejected for the reasons set forth for claim 1.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 5-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Avaro et al. ("The MPEG-4 systems and description languages: A way ahead in audio visual information representation", Dated May 1, 1997)(hereinafter Avaro) in view of Kumar (US 6, 163, 531)

Referring to claims 5 and 6,

Keeping in mind the teachings of Avaro as stated above, Avaro specifically fails to teach the data contained in the options module relates to a security system to be used by the media session or a part thereof. and, in which the data contained in the options module relates to a charging system to be used by the media session or a part thereof. Kumar teaches the SDP announcement which includes " the following information: (1) conference identification; (2) conference start and stop times; (3) mode of each RTP and data sessions, which include the media type (video, audio, data, etc.), the coder (G.723.1, H.263, etc.), etc.; (4) information on how to register and obtain an

encryption key(s), algorithm(s) addresses, and ports for each RTP session; (5) a web site uniform resource locator ("URL") to provide more information on the conference, such as slides for downloading, documents, payment method, etc.; (6) address of the capability negotiation server; and, (7) a MC address to provide a back-channel to the RTP receiver terminals." (col.7, lines 19-30). Kumar teaches "where a conference is pre-announced with sufficient information to enable discovery and participation. In one embodiment, an Internet Engineering Task Force ("IETF") Session Description Protocol ("SDP") is used to encode the conference announcement (see, e.g., FIG. 6). In particular, SDP defines how information is specified in a conference. However, any other mechanism may be used to carry the announcement such as by way of electronic mail ("SMTP"), the Internet (HyperText Transfer Protocol, "HTTP"), and Session Announcement Protocol ("SAP"). Participation in the conference may be limited for security, registration, and/or monetary purposes (e.g., a college class). In such a case, the public announcement will typically contain information on how to register and obtain a private announcement with encryption key(s), algorithm(s), and any other private information (see, e.g., FIGS. 7 and 8). (col. 5, lines 28-44, Figs.7, 8 and 9). Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to modify Avaro to include options (modules) incorporating the teachings of Kumar such that the participation in the conference can be limited for security and monetary purposes as explicitly taught by Kumar.

Referring to claim 7,

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Avaro teaches "Decompression recovers the AV objects' data from their encoded formats, and provides the composition layer with this information. Decompression is currently performed by successive calls to the apply methods of Processobjects to recover the needed image and audio waveforms from the input streams. (page 393, section 2.5.2, 'Decompression") (wherein one or more media module (s) comprise data necessary for a user to receive a layered media stream of a respective media session;). Avaro fails to explicitly teach the step of linking each media module to one or more respective options module(s) containing data relating to a layered mechanism of the respective layered media stream necessary for a party to participate in the layered media stream. Kumar teaches "Layered video may be provided to accommodate participants at different bandwidth links and their need for varying picture quality. "(col.3, lines 38-40). Kumar also teaches the SDP announcement which includes " the following information: (1) conference identification; (2) conference start and stop times; (3) mode of each RTP and data sessions, which include the media type (video, audio, data, etc.), the coder (G.723.1, H.263, etc.), etc.; (4) information on how to register and obtain an encryption key(s), algorithm(s) addresses, and ports for each RTP session; (5) a web site uniform resource locator ("URL") to provide more information on the conference, such as slides for downloading, documents, payment method, etc.; (6) address of the capability negotiation server; and, (7) a MC address to provide a back-channel to the RTP receiver terminals." (col.7, lines 19-30). Kumar also teaches "where a conference is pre-announced with sufficient information to enable discovery and participation. In one embodiment, an Internet Engineering Task Force ("IETF")

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Session Description Protocol ("SDP") is used to encode the conference announcement (see, e.g., FIG. 6). In particular, SDP defines how information is specified in a conference. However, any other mechanism may be used to carry the announcement such as by way of electronic mail ("SMTP"), the Internet (HyperText Transfer Protocol, "HTTP"), and Session Announcement Protocol ("SAP"). Participation in the conference may be limited for security, registration, and/or monetary purposes (e.g., a college class). In such a case, the public announcement will typically contain information on how to register and obtain a private announcement with encryption key(s), algorithm(s), and any other private information (see, e.g., FIGS. 7 and 8). (col. 5, lines 28-44, Figs. 7, 8 and 9). Kumar teaches the media session is announced by transmitting all of the constituent modules of the session description, in Figs. 7, elements 714, 726 and 728. Kumar also teaches the media session is announced by transmitting all of the constituent modules of the session description, in Figs. 7, elements 714, 726 and 728 which contain the "c" which specifies the multicast address (link) of that particular module. Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to modify Avaro to include to include the teachings of Kumar such that the media modules are provided with links to other options (modules) such that layered video can be provided to accommodate participants at different bandwidth links and their need for varying picture quality.

This helps to determine participation level in the conference that can be limited for security, registration and monetary purposes such as college class as explicitly taught by Kumar.

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Referring to claim 8,

Keeping in mind the teachings of Avaro as stated above, Avaro explicitly fails to teach the data contained in a media module includes data necessary for a user to receive or transmit data or both receive and transmit for inclusion in the media session. Kumar teaches the media module in Fig.7, wherein the element 714 has the component "a" which represents "recvonly". Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to modify Avaro to include the teachings of Kumar such that the participation level in the conference can be limited for security, registration and monetary purposes such as college class as explicitly taught by Kumar.

Referring to claim 9,

Keeping in mind the teachings of Avaro as stated above, Avaro explicitly fails to teach the media session is announced by transmitting all of the constituent modules of the session description. Kumar teaches the media session is announced by transmitting all of the constituent modules of the session description, in Figs. 7, elements 714, 726 and 728. Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to modify Avaro to include to include the teachings of Kumar such that the participation level in the conference can be limited for security, registration and monetary purposes such as college class as explicitly taught by Kumar.

Referring to claims 10 and 11,

Keeping in mind the teachings of Avaro as stated above, Avaro explicitly fails to teach the media session is announced by transmitting only some of the constituent modules of

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the session description, with the remaining modules of the session description being subsequently accessible by a user using one or more links provided in the modules transmitted, and the remaining modules of the session description are held on one or more servers and the one or more links to the remaining modules are in the form of URI pointers. Kumar teaches the SDP announcement which includes "the following information: (1) conference identification; (2) conference start and stop times; (3) mode of each RTP and data sessions, which include the media type (video, audio, data, etc.), the coder (G.723.1, H.263, etc.), etc.; (4) information on how to register and obtain an encryption key(s), algorithm(s) addresses, and ports for each RTP session; (5) a web site uniform resource locator ("URL") to provide more information on the conference, such as slides for downloading, documents, payment method, etc.; (6) address of the capability negotiation server; and, (7) a MC address to provide a back-channel to the RTP receiver terminals." (col.7, lines 19-30). The reference also teaches "where a conference is pre-announced with sufficient information to enable discovery and participation. In one embodiment, an Internet Engineering Task Force ("IETF") Session Description Protocol ("SDP") is used to encode the conference announcement (see, e.g., FIG. 6). In particular, SDP defines how information is specified in a conference. However, any other mechanism may be used to carry the announcement such as by way of electronic mail ("SMTP"), the Internet (HyperText Transfer Protocol, "HTTP"), and Session Announcement Protocol ("SAP"). Participation in the conference may be limited for security, registration, and/or monetary purposes (e.g., a college class). In such a case, the public announcement will typically contain information on how to

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register and obtain a private announcement with encryption key(s), algorithm(s), and any other private information (see, e.g., FIGS. 7 and 8). (col. 5, lines 28-44, Figs. 7, 8 and 9). Kumar teaches the media session is announced by transmitting all of the constituent modules of the session description, in Figs. 7, elements 714, 726 and 728. Kumar also teaches the media session is announced by transmitting all of the constituent modules of the session description, in Figs. 7, elements 714, 726 and 728 which contains the "c" which specifies the multicast address (link) of that particular module. Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to modify Avaro to include to include the teachings of Kumar such that the media modules are provided with various links to other media modules for user accessibility to those modules by the techniques taught by the reference. This helps to determine participation level in the conference that can be limited for security, registration and monetary purposes such as college class as explicitly taught by Kumar.

Referring to claim 12,

Keeping in mind the teachings of Avaro as stated above, Avaro explicitly fails to teach in which modules of the session description contain links to modules which are generated subsequent to the announcement. Kumar teaches the media session is announced by transmitting all of the constituent modules of the session description, in Figs. 7, elements 714, 726 and 728 which contains the "c" which specifies the multicast address (link) of that particular module. Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to modify Avaro to include to

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include the teachings of Kumar such that the participation level in the conference can be limited for security, registration and monetary purposes such as college class as explicitly taught by Kumar.

Conclusion

Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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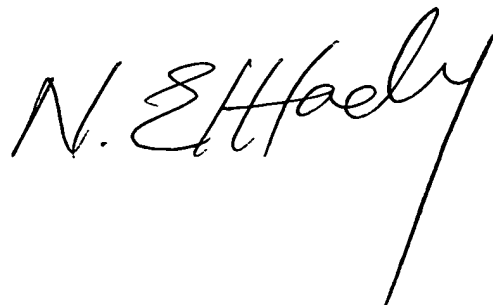
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (571) 272-3972. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abp

A handwritten signature in black ink, appearing to read "N. E. Haely", with a long, sweeping vertical stroke extending downwards from the end of the signature.